

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Christian Stapper, et al.

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

Application No.: Not Yet Assigned

Filed: February 27, 2004

Title: **Cycloalkylmethoxy-Substituted Acetic Acid
Derivatives, Processes for Their
Preparation and Their Use as
Pharmaceuticals**

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. 1.56, 1.97 AND 1.98

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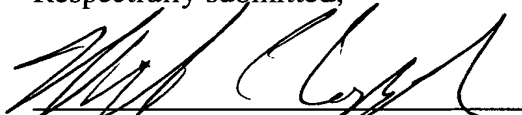
Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

- ☒ (a) This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. **18-1982**.

- ☐ (b) This Information Disclosure Statement is filed after the period set forth in 37 C.F.R. 1.97(b), but is believed to be filed before the mailing date of a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.
- ☐ (1) The undersigned attorney certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement;
- ☐ (2) The undersigned attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned attorney after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement; or
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Based on the new USPTO procedures, it is not required to submit copies of U.S. patents and U.S. publication for all applications filed after June 30, 2003. Therefore, a copy of the five (5) U.S. Patent Documents listed on the attached PTO-1449 form are not enclosed with this Informational Disclosure Statement.

Respectfully submitted,



William C. Coppola, Reg. No. 41,686

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, NJ 08807-0800
Telephone (908) 231-4854
Telefax (908) 231-2626

Docket No. DEAV2003/0082US NP

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				Application Number	Not Yet Assigned
				Filing Date	February 27, 2004
				First Named Inventor	STAPPER
				Group Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	1	of	7	Attorney Docket Number	DEAV2003/0082 - US - NP

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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T6
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		EP	0 462 884 A1		VINCENT et al	12-27-2001		
		WO	00/40569		HODSON et al	07-13-2000		
		WO	00/63208		DORWALD et al	10-26-2000		
		WO	00/64876		JAYYOSI et al	11-02-2000		
		WO	00/64888		JAYYOSI et al	11-02-2000		
		WO	00/66585		HORVATH	11-09-2000		
		WO	00/71549		BROUGH et al	11-30-2000		
		WO	00/78312 A1		SAHOO et al	12-28-2000		
		WO	01/04146 A2		OLSEN et al	01-18-2001		
		WO	01/09111 A1		BRINER et al	02-08-2001		

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		WO	01/21602 A1		CHENG et al	03-29-2001		
		WO	01/40169 A1		HALLGREN et al	06-07-2001		
		WO	01/40171 A1		BOIJE et al	06-07-2001		
		WO	01/72290 A2		DEMUTH et al	10-04-2001		
		WO	01/81327 A1		OONODA et al	11-01-2001		
		WO	01/83451 A1		IKUTA et al	11-08-2001		
		WO	01/85695 A1		LI et al	11-15-2001		
		WO	01/91752 A1		BAKSHI et al	12-06-2001		
		WO	01/94300 A1		DEFOSSA et al	12-13-2001		
		WO	02/096864 A1		DEFOSSA et al	12-05-2002		

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		WO	02/38541 A1		FUKUSHIMA et al	05-16-2002		
		WO	02/50027		GLOMBIK et al	06-27-2002		
		WO	03/020269		GLOMBIK et al	03-13-2003		
		WO	03/040174 A2		DEMUTH et al	05-15-2003		
		WO	03/084922		DEFOSSA et al	10-16-2003		
		WO	03/084923		DEFOSSA et al	10-16-2003		
		WO	03/104188		SCHOENAFINGER et al	12-18-2003		
		WO	94/18183		BRIEADDY et al	08-18-1994		
		WO	94/18184		BRIEADDY et al	08-18-1994		
		WO	96/38428		MAEDA et al	12-05-1996		

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				Filing Date	February 27, 2004
				First Named Inventor	STAPPER
				Group Art Unit	Not Yet Assigned
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		WO	97/26265		NIELSEN et al	07-24-1997		
		WO	97/41097		LOHRAY et al	11-06-1997		
		WO	98/08871		KNUDSEN et al	03-05-1998		
		WO	98/19998		VILLHAUER	05-14-1998		
		WO	99/03861		NIELSEN et al	01-28-1999		
		WO	99/15525		BRODIN et al	04-01-1999		
		WO	99/61431		DEMUTH et al	12-02-1999		
		WO	99/62871		ANDERSSON et al	12-09-1999		
		WO	99/62872		ANDERSSON	12-09-1999		
		WO	99/67278		DEMUTH et al	12-29-1999		

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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ASAKAWA A et al., Cocaine-Amphetamine-Regulated Transcript Influences Energy Metabolism Anxiety and Gastric Emptying in Mice, Hormone and Metabolic Research; Vol. 33(9); 2001; pp 554-558	
		BERGER Joel et al., The Mechanisms of Action of PPARs, Annul. Rev. Med.; Vol. 53; 2002; pp 409-435	
		FRUCHART Jean-Charles et al., PPARs, Metabolic Disease and Atherosclerosis, Pharmacological Research; Vol. 44, No. 5; 2001; pp 345-352	
		KERSTEN Sander et al et al., Roles of PPARs in Health and Disease, Nature; Vol. 405; May 25, 2000; pp 421-424	
		KLIEWER Steven A et al., Peroxisome Proliferator-Activated Receptors: From Genes to Physiology, Recent Prog. Horm Res.; Vol. 56; 2001; pp 239-263	
		LEE Daniel W et al., Leptin agonists as a potential approach to the treatment of obesity, Drugs of the Future; Vol. 26(9); 2001; pp 873-881	
		MOTOJIMA Kiyoto, Peroxisome Proliferator-Activated Receptor (PPAR): Structure, Mechanisms of Activation and Diverse Functions, Cell Structure and Function; Vol. 18; 1993; pp 267-277	
		OKADA Hiroshi et al., Synthesis and Antitumor Activities of Prodrugs of Benzoylphenylureas, Chem. Pharm. Bull.; Vol. 42(1); 1994; pp 57-61	
		PINEDA TORRA Ines et al., Peroxisome Proliferator-activated Receptors: from Transcriptional Control to Clinical Practice, Curr. Opin. Lipidol; Vol. 12; 2001; pp 245-254	
		PINEDA TORRA Ines et al., Peroxisome proliferator-activated receptor alpha in metabolic disease, inflammation, atherosclerosis and aging, Curr. Opin. Lipidol; Vol. 10; 1999; pp 151-159	

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First Named Inventor	STAPPER
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		VIDAL-PUIG A et al., Regulation of PPAR γ Gene Expression by Nutrition and Obesity in Rodents, J. Clin. Invest.; Vol. 97, No. 11, 1996; pp 2553-2561	
		WILSON Timothy M. et al., The PPARs: From Orphan Receptors to Drug Discovery, Journal of Medicinal Chemistry; Vol. 43, NO. 4; 2000; pp 527-550	
		ZUNFT H., J. F. et al., Carob Pulp Preparation for Treatment of Hypercholesterolemia, Advances in Natural Therapy; Vol. 18, No. 5; Sept.-Oct, 2001; pp 230-236	

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